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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/760,403	01/21/2004	Takayuki Iida	Q79504	1282
23373	7590	05/01/2007		
SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037			EXAMINER TURCHEN, JAMES R	
			ART UNIT 2139	PAPER NUMBER
			MAIL DATE 05/01/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/760,403

Applicant(s)

IIDA, TAKAYUKI

Examiner

James Turchen

Art Unit

2139

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01/21/2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 01/21/2004 & 03/30/2007.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Claims 1-13 are pending.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-5 are rejected under 35 U.S.C. 102(b) as being anticipated by Batori (US 6,363,226).

Regarding claim 1:

Batori discloses an image forming device in and from which a predetermined replaceable product can be freely installed and removed, and which carries out image forming processing by using an installed replaceable product (Abstract), the image forming device comprising:

a reading section (column 6 line 39, bar code recognizing means 104) for, at a time of installing a predetermined replaceable product, reading identification information which is held on the replaceable product and which is for identifying that replaceable product from other replaceable products (column 6 lines 32-45, bar code (recognition code) 103 is read by bar code recognizing means 104; column 5 line 66-column 6 line 4, bar code 103 provides an individual identification number);

a storing section (column 6 lines 23-24, RAM 20 as storing means) for storing identification information held on replaceable products which were installed in the past (column 7 lines 38-41, recognition codes stored in memory 20); and

a control section (column 6 line 22, CPU 19 as controlling means) for judging whether or not the replaceable product is a legitimate product by judging whether or not the identification information read by the reading section is not stored in the storing section, and for storing the identification information in the storing section if the identification information is not stored in the storing section (Figure 9A and 9B, device checks the recognition code from memory and stores it in memory if it does not exist (Step S46 NO leads to S51-S58).

Regarding claim 2:

Batori discloses the image forming device of claim 1, wherein the identification information is recorded on the replaceable product as a two-dimensional bar code (column 6 lines 32-45, bar code (recognition code) 103).

Regarding claim 3:

Batori discloses the image forming device of claim 1, wherein a recording element, at least from which written information can be read, is attached to the replaceable product, and the identification information is written in advance to the recording element (column 5 line 66-column 6 line 5, it is inherent that the barcode be placed on the product at time of manufacture).

Regarding claim 4:

Batori discloses the image forming device of claim 1, wherein the identification information is held in an encrypted state on the replaceable product (column 5 line 66-column 6 line 5, the identification number is encrypted into bar code form), and the reading section reads the identification information by decrypting the information read from the replaceable product (column 6 lines 38-44. bar code recognition means 104 reads and decrypts bar code 103).

Regarding claim 5:

Batori discloses the image forming device of claim 1, wherein the image forming device is connected via a communication line to a managing device which stores identification information held on replaceable products which have been installed in the past in plural image forming devices, and if the read identification information is not stored in the storing section, the control section judges whether or not the replaceable product is a legitimate product by confirming whether or not the read identification information is not stored in the managing device (Figure 9B step S51, column 16 lines 5-15, printer A-1 polls printers A-2 and A-3, printers A-2 and A-3 check their memory for the identification number; printers A-2 and A-3 are managing devices).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 6 and 8 rejected under 35 U.S.C. 103(a) as being unpatentable over Batori as applied to claim 1 above, and further in view of Miura (US 6,301,449).

Regarding claim 6:

Batori discloses the image forming device of claim 1, wherein, when the control section judges that the replaceable product is not a legitimate product, but does not disclose the control section one of issues a warning and carrying out processing preventing use of the replaceable product. Miura discloses ceasing printer operation when the encryption information is not recognized (column 6 lines 1-7). It would have been obvious to one of ordinary skill in the art at the time of invention to modify the system of Batori with the system of ceasing printer operation and to modify Batori's indication means (column 21 line 66-column 22 line 4) to issue a warning of the non-matching serial number in order to prevent the use of pirated toner (Miura column 6 lines 1-7).

Regarding claim 8:

Batori discloses the image forming device of claim 1, but does not disclose the replaceable product being a cartridge in which is filled with a replenishing liquid. Miura discloses the replaceable product is a cartridge in which is filled a replenishing liquid for replenishing a processing liquid stored in the image forming device (column 1 lines 17-25), and replenishing condition information, which expresses conditions for replenishing the replenishing liquid filled in the cartridge to the processing liquid, is also held on the cartridge, and the control section controls replenishment of the replenishing liquid to the processing liquid on the basis of the replenishing condition information read from the

cartridge by the reading section (column 4 lines 9-33, identification information is linked to manufacture information where the control mechanism uses this information and changes the conditions of the printing mechanism). It would have been obvious to one of ordinary skill in the art at the time of invention to modify the system of Batori to include replenishing liquid cartridges with the control section in order to provide proper operation based on information about the loaded replacement (column 2 lines 11-15).

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Batori (US 6,363,226).

Regarding claim 7:

Batori discloses the image forming device of claim 1, wherein, when the control section judges that the replaceable product is not a legitimate product, the control section confirms with a user whether or not the replaceable product is to be used (Figure 9B step S52 leads to S55 if the replacement part is not recognized), and if the user instructs use of the replaceable product, the control section stores, in the storing section, information expressing that the user instructed use of the replaceable product. Batori only discloses selecting between new or use a past record from the user and does not disclose asking whether or not to use the replacement part, however, it would have been obvious to one of ordinary skill in the art at the time of invention to modify the prompt to include asking the question of whether or not to use the replacement part if not recognized in order to make sure the correct replacement is installed.

Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Batori as applied to claim 1 above, and further in view of Cowger (US 6,102,508). Batori discloses

Art Unit: 2139

the system of claim 1, but does not disclose using a voice synthesizer to deliver instructions. Cowger discloses the use of a voice synthesizer in a printer to prompt a user for input (column 5, lines 26-29). It would have been obvious to one of ordinary skill in the art at the time of invention to modify the printing apparatus of Batori with the voice synthesizer to give instructions or a tutorial on how to change the printer's cartridge in order to allow the user to install the cartridge without having to look back at the display.

Regarding claims 10-13:

Claims 10-13 correspond to claims 1-8 and are rejected using the same logic as in claims 1-8.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to James Turchen whose telephone number is 571-270-1378. The examiner can normally be reached on MTWRF 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (571)272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2139

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JRT


TAGHI ARANI
PRIMARY EXAMINER
4/28/07